

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA

v.

KEVIN L. KIRTON,
Defendant.

CRIMINAL ACTION FILE
NO. 1:19-cr-00022-WMR

ORDER

This matter is before the Court on the Magistrate Judge’s Report and Recommendation (“R & R”) [Doc. 39], which recommends that Defendant’s Motions to Suppress and Motion for a Franks hearing [Docs. 30, 34, 37] be DENIED, and that Defendant’s Motion to Suppress Statements [Doc. 32] be DENIED as MOOT. No objection to the R & R has been filed.

I. LEGAL STANDARD

Pursuant to 28 U.S.C. § 636(b)(1)(C) and LR 59(2)(a), the Court reviews the R & R for clear error if no objections are filed by a party within 14 days after being served with a copy. If a party files objections, however, the Court must determine *de novo* any part of the R & R that is the subject of a proper objection. *Id.* As no objection to the R & R has been filed in this case, the clear error standard applies.

II. CONCLUSION

After considering the Report and Recommendation [Doc. 39], the Court receives the R & R with approval and adopts its findings and legal conclusions as the Opinion of this Court. Accordingly, it is hereby **ORDERED** that the Motions to Suppress and Motion for a Franks hearing [Docs. 30, 34, 37] are **DENIED** and that the Motion to Suppress Statements [Doc. 32] is **DENIED as moot**.

IT IS SO ORDERED, this 16th day of December, 2019.



WILLIAM M. RAY, II
United States District Court Judge
Northern District of Georgia